

1 **BERNALILLO COUNTY**
2 **BOARD OF COUNTY COMMISSIONERS**
3 **ORDINANCE NO. 2015-21**

4
5 **ADOPTING A NEW ARTICLE IN Chapter 66, Roads and Bridges,**
6 **TO BE KNOWN AS ARTICLE VI. - COMPLETE STREETS ORDINANCE**
7

8 Be it hereby ordained, the Bernalillo County Commission hereby creates a Complete Streets
9 Ordinance:

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11 Sec. 66-263 INTENT AND PURPOSES

12 The intent of Article VI. – Complete Streets Ordinance, Sec. 66-263 et seq. is as follows:

- 13 (1) To implement and be so interpreted as to comply with the New Mexico County
14 Subdivision Act §47-6-1 et seq. NMSA 1978, and County Subdivision Ordinance, Sec.
15 74-73 (b)(c), for road development.
16 (2) For residents and visitors, regardless of their age, ability, or financial resources, to safely
17 and efficiently use the public right-of-way within the corridors described herein and meet
18 their transportation needs regardless of their preferred mode of travel.
19 (3) To establish the image and identity of street corridors and improve economic activity on
20 those corridors by providing a framework for current and future development that
21 integrates sidewalks, trails, bike facilities, transit amenities, and safe crossings into their
22 design.
23 (4) To accommodate and complement improved streetscapes and pedestrian facilities
24 installed according to the provisions of the *County Sidewalk Ordinance*, appropriate
25 sections of the County Code, the Americans with Disabilities Act (ADA), and the
26 proposed Public Rights-of-Way Accessibility Guidelines (PROWAG).

27
28 Sec. 66-264 APPLICABILITY

29 This Article shall apply to all arterial and collector roadways and/or segments of a roadway on
30 County rights-of-way which are listed on the Mid-Region Council of Governments' Current
31 Roadway Functional Classification Map except for those in the East Mountains.

32
33 While appropriate non-motorized traffic improvements for the East Mountains are not under the
34 purview of this ordinance, they are by no means prohibited or limited by any provisions
35 established herein.
36

37 Sec. 66-265 DEFINITIONS

38 **COMPLETE STREETS** - A roadway with cross-sections (including public right of way and
39 public or private easements abutting a public right of way that are designated for a roadway)
40 built at a human scale, designed and operated for safe access for all users, including pedestrians,

bicyclists, motorists, and transit riders of all ages and abilities, to allow safe and convenient street crossings, and pedestrian access to adjacent land uses.

Complete Streets components include, but are not limited to, sidewalks, bike lanes, dedicated bus lanes, comfortable, safe and accessible public transportation stops, frequent and safe pedestrian crossing opportunities, median pedestrian islands, accessible pedestrian signals, curb extensions and pedestrian bulb-outs, reduced travel lane widths determined by the design speed of the roadway, context-appropriate curb return radii, roundabouts, traffic calming, road diets or other features that accommodate safe and efficient multimodal travel.

CONNECTIVITY - Frequency by which streets or roadways intersect, or provide convenient and safe routes of travel for all modes of travel between logical points of origin and destination.

CONTEXT SENSITIVE DESIGN - Design that seeks to balance the need to move vehicles efficiently with other outcomes specific to communities and neighboring properties through which a street passes, such as place-making, pedestrian-friendliness, historic preservation and economic development.

EAST MOUNTAIN AREA – That portion of the county between the eastern limit of the county and the eastern limit of the city, which is more particularly described as that portion of the county east of the east line of Township 4 East of the New Mexico Principal Meridian and as such line is projected through land grant boundaries (being 24 miles east of the New Mexico Principal Meridian).

MULTIMODAL LEVEL OF SERVICE - A set of indicators published by the National Academy of Sciences, National Highway Cooperative Research Board through *Report 616* and any successor document used to evaluate the convenience and comfort of facilities for transit users, pedestrians, bicyclists and other non-motorized users of the public right of way. These indicators include, but are not limited to: the connectivity of sidewalks and paths throughout an area, the availability and safety of road crossings for pedestrians, the separation of non-motorized traffic from motorized traffic, (e.g. sidewalk widths and distance from traffic lanes, presences of separators like bollards or trees), motorized traffic speed control (e.g. traffic calming features), way finding, sense of security (e.g. visibility and lighting of sidewalks), transit stations, and weather protection.

REHABILITATION - Rehabilitation projects are those required to extend the service life of an existing facility, improve its operation, improve safety, or restore its original performance.

Sec. 66-266 GENERAL POLICY

(A) The following complete streets principles shall apply to all projects on streets that are within the jurisdiction of this ordinance:

- (1) The overarching goal of any project that affects street configurations, signalizations, and all other design features shall be based on improving Multimodal Level of Service (MLOS) as described in the National Cooperative Highway Research Program's *Report 616, Multimodal Level of Service Analysis for Urban Streets* and generally defined as safe and efficient accommodation for all users, including pedestrians, bicyclists, the disabled, motorists and transit vehicles.
- (2) On-street bicycle facilities shall be as identified by the Mid-Region Council of Governments' *Long Range Bikeway System Map* and the Bernalillo County *Pedestrian and Bicyclist Safety Action Plan*. All projects on any applicable roadway shall include appropriate safety measures to facilitate the crossing of bicycle traffic wherever a designated bicycle facility crosses the street.
- (3) On roadways that serve industrial and/or freight uses, complete streets improvements that are consistent with freight mobility and support other modes of travel shall be considered.
- (4) Vehicle lane widths should be assessed and modified if appropriate by the tables for General Parameters for Arterial Thoroughfares and Collector Thoroughfares as established in *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach* published by the Institute of Transportation Engineers (ITE) and or any successor documents or standards that may result from amendments or replacements. Urban streets with through vehicle lane widths exceeding 12 feet are strongly discouraged, except where motor vehicles and bicycles share lanes on Bicycle Routes designated by the Mid-Region Council of Governments' *Long Range Bikeway System Map*.
- (5) Mid-block Pedestrian Crossings may be installed where warranted for a project to meet the intent of this ordinance under the criteria established in the *Manual on Traffic Control Devices (MUTCD)* Chapter 3B-18, the *Urban Street Design Guide* of the National Association of City Transportation Officials (NACTO), and the *Guide for the Planning Design and Operation of Pedestrian Facilities* by the American Association of State Highway and Transportation Officials (AASHTO). Un-signalized mid-block crossings are permitted where warranted and should be clearly marked by signs and other high-visibility features. Where necessary, mid-block pedestrian crossings shall be considered for control by pedestrian-activated conventional traffic signals, pedestrian hybrid beacons (PHB), or other approved traffic control devices.
- (6) Curb cuts serving access points blocked by permanent walls, fences or other structures that prohibit entry to a lot shall be replaced with curb, gutter, and sidewalk as part of any roadway project.
- (7) Roadway projects shall be designed to mitigate existing, insufficient multi-modal facilities such as bicycle lanes which do not meet minimum engineering criteria for width subject to the provisions contained in paragraph (E).

(8) Roadway projects on arterial corridors shall prioritize the safety of multimodal users by using traffic calming techniques, such as narrowing traffic lanes, adding buffer space between vehicle traffic and pedestrian/bicycle facilities, adding parallel parking where it does not currently exist, or installing parallel stripes delineating existing parking lanes. Where right-of-way or pavement width is constrained, AASHTO compliant shoulder striping or other alternatives should be explored.

(B) All major projects involving streets under the authority of this ordinance, including road construction, resurfacing or reconstruction of sidewalks shall be considered an opportunity to either retrofit existing streets or construct new streets or components of streets consistent with the principles of this ordinance.

(C) Rehabilitation projects shall follow complete streets principles as described herein. Rehabilitation projects shall examine the entire right-of-way to enhance usefulness for all transportation and mobility modes, including improvements for automobiles as well as for transit, pedestrians, and bicyclists. Rehabilitation projects shall prioritize the improvement of connections between the various transportation and mobility modes and shall improve conditions for pedestrians.

(D) The Public Works Division will submit a memorandum to the County Commission listing upcoming projects which are conducive to adding complete streets elements on or about the end of each calendar year. This memorandum will indicate:

(1) The location, scope, total estimated cost of the project, added engineering/construction costs for the complete streets improvements, and funding sources.

(2) Whether the improvements will be completed in the course of a maintenance or construction project.

(3) How the project adheres to the complete streets improvements established by corridor, sector or area plans, and principals of this ordinance as well as a description of the need for any deviation from or modification to the complete streets principals established herein.

(4) A tentative schedule indicating when the work can be completed with revenues available for maintenance and/or construction projects.

(E) Projects may be exempted in part from the requirements of this ordinance upon review by the County Engineer, provided they meet one or more of the following criteria:

(1) *Bernalillo County Street/Infrastructure Standards*, latest edition, or other adopted policies affecting the street that necessarily precludes non-motorized projects.

(2) The project is a maintenance activity that does not involve resurfacing that completely covers existing striping or reconfiguring the street. Examples of exempt projects include patching, sidewalk repair, roadway sealing, or cleaning.

(3) Where the cost of and time required to incorporate complete streets principles would compromise time-sensitive, safety-related maintenance activities.

(4) The project is limited by available publicly owned right-of-way.

(5) The project is located on city, state or federal right-of-way, the County has made an effort to implement complete streets improvements, and the agency with control of the right of way has indicated they will not allow consideration of the improvements.

(6) The project is limited in its extent to provide sufficient connectivity for the facility to function safely and efficiently.

(F) Design and engineering of streets, sidewalks, bikeways and other facilities shall follow the relevant standards set forth in the following documents or any successor documents or standards that may result from their amendment or replacement:

(1) *Bernalillo County Street/Infrastructure Standards*, County of Bernalillo, New Mexico.

(2) *Long Range Transportation System (LRTS) Guidelines*, Mid-Region Council of Governments (MRCOG).

(3) *Manual of Uniform Traffic Control Devices (MUTCD)*, Federal Highway Administration.

(4) *Urban Street Design Guide*, National Association of City Transportation Officials (NACTO).

(5) *Urban Bikeway Design Guide*, National Association of City Transportation Officials Traffic Officials (NACTO).

(6) *Guide for the Planning Design and Operation of Pedestrian Facilities*, American Association of State Highway and Transportation Officials (AASHTO).

(7) *Guide for the Development of Bicycle Facilities*, American Association of State Highway and Transportation Officials (AASHTO).

(8) *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach*, Institute of Transportation Engineers (ITE).

(9) *NCHRP Report 616, Multi-Modal Level of Service Analysis for Urban Streets*, National Cooperative Highway Research Program (NCHRP).

(10) *Proposed Public Rights-of-Way Guidelines (PROWAG)*, United States Access Board.

(11) *A Policy on Geometric Design of Highways and Streets*, American Association of State Highway and Transportation Officials (AASHTO).

(G) Engineering Flexibility. Deviations or alternatives from *Bernalillo County Street/Infrastructure Standards* latest addition, for intersection spacing, geometry, alignment and other characteristics shall be considered on a case-by-case basis and as approved by the County Engineer may be implemented provided they meet the standards set forth in the documents specified in Sec. 66-266 (F) or any successor documents or standards that may result from their amendment or replacement.

Sec. 66-267 SEVERABILITY CLAUSE

If any section, paragraph, sentence, clause, word or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Commission hereby declares that it would have passed this Ordinance and each section, paragraph,

198 sentence, clause, word, or phrase thereof irrespective of any provision being declared
199 unconstitutional or otherwise invalid.

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201 **COMPILATION**

202 Secs. 66-263 through 66-267 of this Ordinance shall be incorporated in and made part of the
203 Revised Ordinances of Bernalillo County, New Mexico

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205 **EFFECTIVE DATE.** This Ordinance shall take effect five (5) days after publication by title and
206 general summary.


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208 **DONE** this 23 day of June, 2015
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210 **APPROVED AS TO FORM**

211 
212 Randy Autio, County Attorney

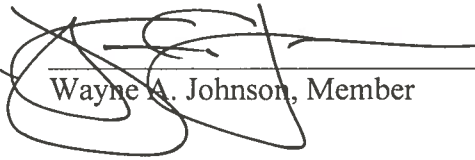
BOARD OF COUNTY COMMISSIONERS

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217 **ATTEST:**

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220 Maggie Toulouse Oliver, County Clerk
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